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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS E. KEPKE,

Defendant.

Criminal No. 3:21-CR-00155-JD

STIPULATION AND [PROPOSED]
ORDER SETTING BRIEFING SCHEDULE
AND CONTINUING STATUS CONFERENCE

With the agreement of the parties, the Court enters the following Scheduling Order:

1. With respect to the following motions:

Date Filed	#	Docket Text
08/05/2022	<u>61</u>	MOTION to Exclude <i>United States' Motion to Exclude Defendant's Proffered Expert Witness, Rodney Read</i> by USA as to Carlos E. Kepke.
08/05/2022	<u>63</u>	MOTION to Exclude <i>or in the Alternative, to Limit Certain Opinions and Testimony of Bruce G. Dubinsky</i> by Carlos E. Kepke.
08/05/2022	<u>64</u>	MOTION to Exclude <i>or in the Alternative, to Limit Certain Opinions and Testimony of Agent James Oertel</i> by Carlos E. Kepke.

all Responses must be filed by August 19, 2022, and any Replies must be filed by August 26, 2022. These motions will be heard by the Court on September 12, 2022, at 10:30 a.m., or as soon thereafter as the matter may be heard, before the Honorable James Donato, United States District Court, San Francisco Courthouse, Courtroom 11 – 19th Floor, 450 Golden Gate Avenue, San Francisco, California.

2. With respect to the following motion:

Date Filed	#	Docket Text
08/10/2022	<u>66</u>	MOTION in Limine <i>United States' Motion in Limine to Admit Evidence of Undercover Contacts</i> by USA as to Carlos E. Kepke.

all Responses must be filed by August 24, 2022, and any Replies must be filed by August 31, 2022. This motion will be heard by the Court on September 12, 2022, at 10:30 a.m., or as soon thereafter as the matter may be heard, before the Honorable James Donato, United States District Court, San Francisco Courthouse, Courtroom 11 – 19th Floor, 450 Golden Gate Avenue, San Francisco, California

3. The Status Conference currently set for this matter on August 15, 2022, is hereby continued to September 12, 2022, at 10:30 a.m. The Court previously excluded time under the Speedy Trial Act through November 28, 2022. *See* Doc. 39.

The undersigned attorney for the government certifies that he has obtained approval from counsel for the Defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

STEPHANIE M. HINDS
United States Attorney

s/ Michael G. Pitman
COREY J. SMITH
Senior Litigation Counsel
MICHAEL G. PITMAN
Assistant United States Attorney

Attorneys for United States of America

s/ Grant P. Fondo
GRANT P. FONDO

Attorney for Defendant Carlos E. Kepke

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2 IT IS SO ORDERED.
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4 Dated: _____

5 JAMES DONATO
6 United States District Judge
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